

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **James Vollmar v Gibraltar School Dist**

Docket No. **282125**

L.C. No. **07-705786-CZ**

Brian K. Zahra, Judge, acting under MCR 7.211(E)(2), orders:

The motion to strike portions of appellant's brief is GRANTED. The documents that are appended to appellant's brief as Exhibits A, H, and J, and the invoice dated February 29, 2004, that is appended as part of Exhibit D are STRICKEN. [The appellant's brief filed with this Court does not include an Exhibit M.] These documents are stricken because they are not part of the trial court record. The record on appeal is confined to the record made in the trial court. Documents that were not filed in the trial court or available to the trial court for its decision are not part of the record and cannot be considered on appeal. MCR 7.210(A)(1); *Coburn v Coburn*, 230 Mich App 118, 122-123; 583 NW2d 490 (1998), rev'd on other grounds, 459 Mich 874, 875 (1998). The Clerk is directed to remove these documents from appellant's brief and attach a copy of this order to appellant's brief.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAY 14 2008
Date

Sandra Schultz Mengel
Chief Clerk